Legislative Council.

Wednesday, 12th November, 1941.

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

1, City of Perth Scheme for Superannuation (Amendments Authorisation).

2, Inspection of Machinery Act Amendment.

QUESTION—TAXATION.

Volunteer Militiamen's Sustenance.

Hon. H. L. ROCHE asked the Chief Secretary: 1, Is the Government aware that in those cases where the military pay of militiamen is assessed for income tax, the volunteer militiaman is taxed on an amount of 2s. 5d. per day representing sustenance, whilst a universal trainee compulsorily called up is not taxed on such sustenance? 2, Can this differentiation be justified, and if so, on what ground? 3, If not, will steps be taken to insure that both parties are placed on the same footing?

The CHIEF SECRETARY replied: 1, Yes. 2, The differentiation is justified in law because Section 17 (2) (g) of the State Income Tax Assessment Act includes as assessable income the value of sustenance allowed to an employee, but does not include similar sustenance allowed to any person who is not an employee. It is explained that the Federal Income Tax Assessment Act in Section 26 (e) has the same provision as the State Section 17 (2) (g) and an advising was given by the Commonwealth Crown Solicitor that a distinction must be drawn, so far as employment is concerned, between those persons who were called up for service or who are undergoing compulsory training with the defence forces, and those who are voluntarily enlisted members of the forces. The Crown Solicitor advised that an essential ingredient of employment is an agreement or willingness to be employed and a person who performs a duty because he is compelled by law so to do, whether his will assents to it or not, is not employed to perform it. The State Commissioner has adopted the decision of the Federal Commissioner of Taxation who in turn has accepted the advising of the Commonwealth Crown Solicitor. 3, No. No doubt the hon. member contemplates that any steps to be taken would be by an amendment of the State Income Tax Assessment Act. The Federal Commissioner considers, and the State Commissioner agrees with him, that it is most undesirable to grant specific legislative exemption of the value of sustenance allowed to members of the forces, as such exemption represents a departure from the general principle that sustenance is a proper item to be included in the assessable income of an employee. Legislative exemption of this nature would undoubtedly lead to contentions that civilian taxpayers should be similarly freed from tax on sustenance. In practice there is little ground for any grievance by volunteer members of the forces. Many of these persons do not include any amount in their returns for sustenance and it is not the practice of the department to issue queries or to include sustenance where it is not returned. The tax at issue is of small volume judged individually and totally, and the office work of querying, etc., not worth the cost.

QUESTION—ADMINISTRATION ACT.

Hon. H. V. PIESSE asked the Chief Secretary: 1, Under Sections 53, 54, 55, and 56 of the Administration Act, how many applications were lodged for probate for estates under £500? 2, How many registrations were made outside a radius of 30 miles of the city of Perth under these sections?

The CHIEF SECRETARY replied: 1, For the year 1940—289 applications were lodged of which 77 were not proceeded with. For the year 1939—279 applications were lodged of which 66 were not proceeded with.

2, No figures are available to show the fixed places of abode of the deceased persons at the date of death.

BILL—LAND DRAINAGE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.40] in moving the second reading said: This Bill proposes to amend the Land Drainage Act, 1925, which provides for the drainage of land, the constitution of drainage districts and boards and other relative purposes. The main proposal seeks to make the position clear respecting the control of drains maintained by the department or drainage boards, some of which drains were constructed about 50 years ago, namely, those in the Coolup and Harvey agricultural areas and in the Peel Estate.

The Act contemplates the constitution of a drainage district before any works are constructed and, following the constitution of a district, it provides that any proposed works shall be advertised and land owners given an opportunity to lodge objections. If, however, an adverse petition, signed by a majority of the owners of rateable land in the district, is lodged with the Minister, the proposed works are not proceeded with.

Extensive drainage works have been constructed by all Governments in the agricultural areas, but it has not been possible or practicable to constitute a drainage district without including some drainage works which were constructed prior to the declaration of the district. Some drains were constructed even before the commencement of the first Land Drainage Act of 1900. Expenditure on all these works has been made with the proper authority, but such authority to expend does not afford authority in regard to subsequent control and maintenance.

At present 1,080 miles of drains and watercourses in the South-West and southern portions of the State are treated as drains being maintained by the department, serving over 100,000 acres of land. To the 30th June, 1941, an amount of £1,044,300 had been expended on these works. The Bill will remove any doubt that may exist regarding the authority under which some of the drains in what must be considered to be a huge total length of 1,080 miles, were constructed. To date the department has experienced no serious difficulty in this matter. Drainage systems, however, have been practically completed in many places, and on that account the department desires to be left in no uncertain position in respect to the authority it may exercise in the control and maintenance of all drains and works that comprise the various systems, so that the necessary protection may be afforded to land owners generally. Without the required authority, one obstructive land owner could, under certain circumstances, seriously jeopardise the proper and safe functioning of the drains serving a large area.

The proposal, if passed, will not inflict the slightest hardship or inconvenience on any farmer served by the drains, but it will certainly ensure the safe working of all drained areas. The various drainage systems which are operating in our agricultural areas have been of great benefit to farmers and have brought into cultivation large areas of land to the advantage of the farmers and the State.

In 1918 the Royal Commission on Agricultural Industries directed special attention to the imperative need for an adequate and co-ordinated drainage system for the low-lying lands with a high rainfall in the South-West. In 1926 a comprehensive drainage policy was adopted, whereby the high level or hills water was conveyed in high level channels across the coastal plain to discharge ultimately direct into the ocean. The coastal plain was given an independent drainage lay-out with outlet drainage facilities at the lowest corner of the various holdings, and where possible branch drains were introduced or provided for in the design of each scheme to give immunity to the holdings from outside flooding.

In order that the necessary protection may be given to the farmers as a whole, it is essential that the department should have clear control over all drains and works to enable it to enforce the removal of illegal obstructions that are, or may become, a menace to other farmers, and to permit of adequate maintenance by the department without fear of having committed trespass. I trust, therefore, that members will agree to this proposal.

The Bill also seeks to exempt minor works from the lengthy and cumbersome procedure prescribed by the Act before

works of any size can be undertaken. The time absorbed in complying with the procedure under the Act, which was obviously intended only for major works, is approximately two months. The Metropolitan Water Supply Act and the Water Boards Act make special provision for the exemption of such reticulation works as the Governor may declare. This has been largely availed of by water boards and the department. The proposal is that a similar provision in the Land Drainage Act would be quite appropriate in regard to minor works.

Another provision in the Bill gives the Minister power to fix by by-law the commencing date of the financial and rating year. Four Acts are administered by the department that involve rating, namely, the Goldfields Water Supply Act, the Irrigation Act, the Water Boards Act and the Land Drainage Act. The last mentioned is the only one which stipulates a commencing date for the rating year, namely, the 1st July. In the other three Acts, provision is made for the date to be determined by by-law.

The reason for the proposal in the Bill is that a real difficulty has arisen in regard to land drainage rating appeals. With the rate struck on the 1st July, the rate notices cannot be served until the end of that month. Appellants then have till the end of August to lodge appeals and the Drainage Appeal Board, after preparing the necessary data for each case, fixing programmes for hearings and giving each appellant six days' notice, cannot at the earliest commence hearing the appeals until early in October. This means that the four members of the board have to postpone all other work to give preference to the appeals.

The greatest handicap, however, is that the board is forced to hear appeals when the land is getting dry and has to visualise the winter conditions. This has resulted in many appeals being deferred for winter inspections, a delay often of six months, which is most unsatisfactory to both parties. Furthermore, appellants generally argue on flooding conditions and damage rather than the suitability of the drainage rate struck for any block and the ability of the drains to deal with normal winter off-flow. If this proposal is agreed to, the commencement of the rating year will be fixed earlier in the calendar year. Those are the principal amendments proposed in the Bill. There are two or three other amendments, but they are purely of a machinery character and may be regarded as consequential. I move—

That the Bill be now read a second time.

On motion by Hon. L. Craig, debate adjourned.

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.50] in moving the second reading said: The small amendments provided for in this Bill are deemed necessary to authorise the application of the rating sections of the Rights in Water and Irrigation Act to areas to be irrigated by means other than by gravitation, the Act at present being limited to that method, and to exempt certain minor works from what may be termed unnecessary procedure in respect of advertising. The Act was amended in 1939 to provide that certain watercourses could be proclaimed as coming within Part III of the Act, which part deals with rights in natural waters and the issue of licenses to owners of land who may be desirous of taking water from such streams. That amendment gave the Minister power to control and regulate the use of water in proclaimed streams, this being particularly desirable in times of shortage when, in the interests of all farmers concerned, some form of central control is essential to protect their interests.

A proclamation of the portion of the Canning River and its tributaries below the Canning Weir will be effected in the near future, and when this has been done it will be necessary for those who desire to take water from the proclaimed streams to apply for a license to the Minister, who will deal with the application on the advice of the Irrigation Commissioners. The preparation of regulations governing the issue of licenses is now proceeding. These will provide that a fee of 5s. per annum will be payable for a "special" license—one which will apply to those persons who were diverting water at the time of the proclamation—and 20s. for an "ordinary" license, one which will apply to persons commencing to take water after the proclamation.

As the result of representations which have been made, consideration is being given to the construction of conservation works on the portion of the Canning River which it is proposed to proclaim. In the event of such works being constructed, after having been proved to be practicable and within the financial resources of the owners or occupiers of land contiguous to the watercourse, it will be necessary to levy rates and charges to cover interest, sinking fund and operating expenses.

The Act as it now stands contemplates rating only in regard to land irrigated by gravitation from main channels constructed by the Minister, whereas in the case in prospect, practically the whole of the water used will be pumped from the streams by the owners or occupiers of adjoining land. The Bill proposes that the definition of "irrigable," as applied to rateable land, should be amended by deleting the restriction to irrigation by gravitation, so that rating may be applied to all methods of irrigation in the Canning area and any other areas which may be proclaimed under the Act. It is also proposed to amend the definition of "irrigation." As the definition stands at present it is questionable whether it covers sprinkler irrigation of orchards, vegetable gardens, etc., and it is necessary that the position be made clear.

A further proposal in the Bill seeks to exempt minor distributory works from the lengthy and cumbersome procedure specified in the Act, which provides that, before commencing any work, the proposal shall be advertised in the "Government Gazette" and in a newspaper, and that a period of one month shall be allowed for the submission of objections. It takes from two to two-and-a-half months to complete this procedure. Small works are often necessary and emergencies arise when it is quite impracticable to follow this procedure. The proposal to exempt these minor works from such a requirement is therefore deemed desirable in the circumstances. A similar provision is embodied in the Metropolitan Water Supply, Sewerage and Drainage Act and also in the Water Boards Act. I move—

That the Bill be now read a second time.

On motion by Hon. G. B. Wood, debate adjourned.

BILLS (2)—FIRST READING.

1, Financial Emergency Act Amendment.

2, Mortgagees' Rights Restriction Act Continuance.

Received from the Assembly.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. A. DIMMITT (Metropolitan-Suburban) [5.0]: I intend to support the second reading of the Bill because I consider that most of the amendments embodied in it, if passed, will lead to the more effective working of the Industrial Arbitration Act. I do not intend to go through the Bill clause by clause, as some members have done, because I think there are only two clauses of a contentious nature.

Several members have indicated their opposition to Clause 2, which provides for the inclusion of domestic servants in the definition of "worker." Today, however, we have to be thoroughly realistic, and if the new order means anything at all—and as far as I am concerned it is not merely an idealism—it means that those of us who are fortunately circumstanced must give consideration to improving the conditions of those in humbler walks of life. We must give them opportunities they have been denied in the past and grant to them privileges they do not enjoy today.

There is no doubt in my mind that it is the accepted policy of the State of Western Australia that the principle of industrial arbitration shall govern industry. Indeed, it is the recognised policy of the whole of Australia, and because that is so I think we should extend the system to embrace workers in every industry, should those workers so desire. If it is the wish of domestic servants to be covered by an industrial award, the opportunity to secure such an award should be extended to them. It is not logical to legislate to govern the relationship between employer and employee in one industry and refrain from doing so in another.

Hon. L. Craig: Would you do it in connection with the agricultural industry?

Hon. J. A. DIMMITT: I said a few moments ago that the system should be extended to all industries. I think it must eventually be extended to employees in the agricultural and rural industries.

Hon. L. Craig: Wishful thinking!

Hon. V. Hamersley: It will be a sorry day when it is!

Hon. G. W. Miles: We shall need a further new order if it is.

Hon. J. A. DIMMITT: I think that we in this House—and people throughout the world—must adjust our outlook. There is no doubt in my mind that when this war is over conditions will be very different from those that prevailed when the war began. I do not mean to suggest that the capitalistic system will be completely eliminated, but I do think that the system at the end of this war will be very different from that which we knew in 1938.

Hon. G. W. Miles: Do not you think that we should wait until the war is over before we start making changes?

Hon. J. A. DIMMITT: Members have said this is not the time to tinker with industrial arbitration, that it is not the time to improve the conditions of the domestic worker, but I think the time to improve the conditions of any worker is today and tomorrow and the next day. The underdog should have opportunities. We have to recognise the changes that are taking place. Conditions have already changed. There is a progressive evolutionary movement occurring and we have to accept it. I suggest that if we are not prepared to accept changed conditions by a process of evolution, we may have to accept them by a sudden process of revolution.

Hon. G. Fraser: We will give you a union ticket!

Hon. G. W. Miles: You had better go to Beaufort-street at once.

Hon. J. A. DIMMITT: I am prepared to give domestic servants better conditions than they have had in the past. The only clause to which I take exception is Clause 13. I strenuously object to granting as a statutory right privileges that have been generously accorded by some employers. To my way of thinking, the privacy of the shop, warehouse and workshop should be just as sacred as the privacy of a home; and because some employers and some managers have granted the privilege of entry to some accredited union representatives, that does not give them a legal right of entry.

Hon. J. Cornell: You are defeating your own argument in favour of domestics.

Hon. J. A. DIMMITT: The Bill provides that there shall be no entry into a private house.

Hon. G. W. Miles: It is the thin end of the wedge.

Hon. J. A. DIMMITT: I shall not be a party to taking away the rights of the proprietor or manager of any premises, and especially the inalienable right either to prohibit or permit the entry of any person or persons to his establishment.

Hon. J. J. Holmes: What about private homes?

Hon. J. A. DIMMITT: The Bill distinctly prohibits the entry of any union official into a private home. I am definitely against granting any such statutory right. When the Bill is at the Committee stage, I intend to vote against Clause 13, and I think the majority opinion in this House will be the same as mine. The Bill contains sufficient good points, to my way of thinking, to justify my voting in favour of the second reading.

HON. G. FRASER (West) [5.9]: It is unnecessary for me to say that I propose to support the second reading of the Bill. I congratulate Mr. Dimmitt on at least three-quarters of his speech. To me his remarks were like the visit of the "Fremantle doctor" on a very hot day.

Hon. L. B. Bolton: There is more joy over one sinner, you know!

Hon. G. FRASER: There is not very much of a contentious character in the Bill. Quite a number of alterations have been proposed because of the fact that over a large number of years certain defects in the working of the Act have become apparent and it is suggested that the amendments embodied in the Bill will remedy those defects. The main bone of contention is the clause relating to domestic servants. I cannot understand members taking exception to it. Sir Hal Colebatch delivered an oration on the war, which was very interesting but which did not appear to have any bearing on the question whether or not we should include domestic servants as "workers" under the Act. Through all the years that the Act has been in force endeavours have been made to bring domestic servants within the definition of "worker," and I fail to see what effect

their inclusion or non-inclusion is likely to have on the war. Yet the majority of speeches have been made from that point of view! I cannot perceive how it will affect the war issue in any shape or form.

Hon. G. W. Miles: Or the new order.

Hon. G. FRASER: We cannot wonder that there is such a scarcity of domestic servants. If anybody deserves to be brought within the definition of "worker," it is the domestic servant. Taking into consideration the long hours domestic servants work and the duties they perform, I know of no one, man or woman, who is more entitled to be brought within the definition of "worker."

Hon. C. B. Williams: Except the poor unpaid farmer!

Hon. G. FRASER: The farm employees are in an awful position also. If any two classes of people should be brought within the definition, those classes are domestic servants and farm hands.

Hon. L. Craig: Why were farm hands not included?

Hon. G. FRASER: I would do anything possible to improve the conditions of our farm hands.

Hon. G. B. Wood: You have not done too much up to date.

Hon. G. FRASER: We have not had an opportunity, and the hon. member is one of those who would place obstacles in the way of our doing anything to assist the farm hand.

Hon. G. B. Wood: You have never done anything yet.

Hon. G. FRASER: Through the years we have made endeavours to improve the conditions of both domestic servants and farm hands. There have been many instances in which union organisers have gone on farms and been chased off.

Hon. G. B. Wood: By whom?

Hon. G. FRASER: By farmers.

Hon. G. B. Wood: No fear!

Hon. G. FRASER: It has been done on many occasions when attempts to visit farms were made by organisers of the A.W.U.

Hon. H. V. Piesse: They have given the organisers a good run!

Hon. G. FRASER: Organisers would need to be good runners when they visited the hon. member's district. The two classes of workers who are given the rawest deal are domestic servants and farm employees. It is no wonder there is a scarcity of domestic servants. All that the clause seeks to do is to classify domestic servants as workers within the meaning of the Act. What happens afterwards is the business of the domestic worker and the employer.

Hon. L. Craig: He would not have a say.

Hon. G. FRASER: Before domestic workers could take any action to benefit under the Act——

Hon. G. W. Miles: You would want to collect 25s. a year from them, too.

Hon. G. FRASER: The domestic servants will themselves decide what they will pay.

Member: They will not get anything cheaper.

Hon. C. B. Williams: I would like to ask, Mr. President, who is making this speech?

The PRESIDENT: I ask members to allow Mr. Fraser to proceed without interruption. Members will have other opportunities of addressing the House.

Hon. G. FRASER: I know it is disorderly to interject or to answer interjections, but when entirely wrong interjections are made, it is only natural that I should attempt to correct the assertions.

The PRESIDENT: I hope the hon. member will not provoke interjections.

Hon. G. FRASER: I never do that, Sir.

Hon. L. B. Bolton: Oh, no!

Hon. G. FRASER: I was mentioning that the Bill proposes to bring domestic workers within the definition of "worker" and so give them the right to approach the Arbitration Court. Before they reach that stage it will be necessary for them to form an organisation. Notwithstanding the interjections of members, the domestic servants themselves at a meeting would decide what their fees would be, the same as members of other organisations do. No Trades Hall boss or any other boss can say, "You have to pay so-and-so." Members of unions themselves decide what their contributions shall be, and the same procedure will be adopted if domestic servants are given the privileges the Bill sets out to accord them. They will form their own organisation and decide upon their own constitution and rules. They will determine the fees members shall pay and will decide whether they will have a permanent or a part-time secretary.

Hon. J. Cornell: And the secretary will have no knowledge about domestic service.

Hon. G. FRASER: That may or may not be so.

Hon. G. W. Miles: This is certainly good non-contentious legislation!

Hon. G. FRASER: It is quite simple.

The PRESIDENT: Order! I must again ask hon. members to preserve order.

Hon. C. B. Williams: Hear, hear, Mr. President!

Hon. G. FRASER: It will be for the domestic servants themselves to take the initiative in securing an award from the Arbitration Court. I know of no section of the community more deserving of an industrial award to prescribe rates of wages and working conditions than that comprising domestic servants. One has only to peruse the newspapers to note the wages, hours and conditions applied to domestics. That is because their working hours and conditions, to say nothing about pay, are not prescribed. That state of affairs accounts for the limited number of women who are willing to engage in domestic service. Complaints are not heard from restaurant keepers or hotel licensees regarding staff difficulties. That is because an Arbitration Court award governs that section of industry and prescribes wages and conditions.

Hon. J. M. Macfarlane: They do not interfere with conditions in private homes.

Hon. G. FRASER: I expect Mr. Holmes to support the Bill on this occasion because the principal contention he has advanced in the past has been respecting Miss Shelley or someone else invading private homes.

Hon. J. Cornell: How long do you think the war will last?

Hon. G. FRASER: That does not affect this matter.

Hon. J. Cornell: You should ask Mr. Holmes that question.

Hon. J. J. Holmes: At any rate, the Bill will get no support from me.

Hon. G. FRASER: The Bill specifically sets out that no union representatives will be permitted to enter a private home. So the main objection raised by Mr. Holmes in past years goes by the board. I think he still has an idea that union representatives will enter private homes although the Bill stipulates specifically that they will not have that power. The Bill embodies very little of a contentious nature. We simply ask that domestics shall be classed as workers within the meaning of the Industrial Arbitration Act. That is not much to ask after 29 years during which the principles of arbitration have applied.

Hon. J. Cornell: The original Act was passed in 1902.

Hon. G. FRASER: Then I am slightly out in my recollection. That means that it is 39 years since we first subscribed to the principle of arbitration in relation to the regulation of working hours and wages, and yet we have not reached the stage at which domestics can be classed as workers. We should have made more progress than that would seem to indicate. I hope that the speech delivered by Mr. Dimmitt will have an effect upon other hon. members.

Hon. G. W. Miles: You have secured one convert.

Hon. G. FRASER: That is so.

Hon. G. W. Miles: He will be applying to the A.L.P. for endorsement next election.

Hon. G. FRASER: I hope that this session we shall be able to claim success regarding the inclusion of domestics under the provisions of the Arbitration Act.

HON. G. B. WOOD (East) [5.19]: I support the second reading of the Bill. Four years ago when the question of including domestic servants within the scope of the Industrial Arbitration Act was prominently before this House, I supported the proposal, and I shall adopt a similar attitude on the present occasion, particularly in view of the fact that the measure embodies a provision debarring any union secretary from invading the sacred precincts of a private home. The inclusion of such a provision in the measure was highly desirable, and I am glad that that phase has been dealt with on this occasion. That very fact should overcome some of the objections voiced by members regarding the inclusion of domestic servants. Why should they not be brought within the scope of the Industrial Arbitration Act? Farm hands and domestic servants represent the only two classes of workers who cannot approach the Arbitration Court to secure an award to prescribe their wages and working conditions. I cannot understand why that should be so. Only a little while ago nurses were brought within the scope of the arbitration legislation.

Hon. J. Cornell: And the standard of nursing has consequently depreciated.

Hon. G. B. WOOD: The objection to that course has been overcome, and people are accustomed to it now. I cannot understand why farm workers and domestics should

not be covered by Arbitration Court awards. Today it is impossible to get a good farm worker. I do not refer to the shortage that is due to war conditions. It is a position that has been gradually developing during the past three years. The reason for it is that the farm labourer has not received fair treatment. I do not blame the farmers for that because they have not been in the position to pay good wages and give advantageous conditions. Moreover, the farmers have been so eager to pay off their interest obligations.

Hon. C. B. Williams: Hold up!

Hon. G. B. WOOD: That is quite true.

Hon. C. F. Baxter: Will this help them in that regard?

Hon. G. B. WOOD: I do not say that the Bill will help the farmers, but the fact remains that we cannot get farm labour now. It is a sorry state of affairs.

Hon. L. Craig: Why?

Hon. G. B. WOOD: Because the men have taken positions in sheltered industries. I do not know of young men who are available to undertake farm work with any degree of skill. I have not in mind the many young men who have gone to the war, but I am casting my mind back for 18 months or more and I claim that at that time the position was almost as acute as it is now. Take the position regarding domestic servants. I was discussing the problem with an employment broker today, and I was told that it was almost impossible to get domestic servants at present. I do not agree that the conditions applicable to them are so irksome. I realise that domestic servants are required to work long hours, and in one sense they are at the beck and call of employers for 24 hours a day.

Hon. H. V. Piesse: I do not agree with that statement at all.

Hon. V. Hamersley: Neither do I.

Hon. G. B. WOOD: I think it is correct.

Hon. G. W. Miles: You must be a bad employer if you believe that is so.

Hon. G. B. WOOD: I think it will be most difficult to prescribe hours of labour for domestics.

Several members interjected.

The PRESIDENT: Order! Will members please keep order?

Hon. G. B. WOOD: I do not suggest that domestic servants should work a mere eight hours. The working period should be spread over 12 hours. I have discussed that phase with housewives, and they claim that it is quite possible for some such arrangement to be made. A servant should not expect to start at 8 a.m. and finish at 4 p.m. That would not be possible. I think domestics should be prepared to work for eight or ten hours spread over 12 or 14 hours, provided they had some time off in the afternoon. To my mind it is not an impossible proposition at all. I hope the Government's proposal will be given a trial and that farm workers and domestic servants will be provided with the desired opportunity to approach the Arbitration Court to secure an award governing their respective spheres of employment.

HON. L. CRAIG (South-West) [5.23]: The stage seems to be set for a division on the Bill at this sitting. Members have been brought in from everywhere. I wondered why I was asked to pair with another hon. member on a particular clause of the Bill. I now know the reason. The whole discussion seems to centre around Clause 2. Mr. Dimmitt has referred to the underdog—the badly treated domestic servant. If a girl who is in domestic service is badly treated, she has herself to blame. I say that because she is a much sought-after individual these days. Should they journey along a street in West Perth and see in front of an attractive home a strip of red carpet leading from the front door to the foot-path and the lady of the house standing in a spacious garden holding a beautiful bouquet of flowers, members might jump to the conclusion that she was anticipating the arrival of a vice-regal party. Nothing of the sort would be the explanation, but merely that a new domestic servant was expected to arrive that afternoon.

I assure you, Mr. President, that servants today are as scarce as are cherries in the middle of winter. To claim that the domestic servant is badly treated today is to advance a suggestion that is totally incorrect. They are in such demand that if a servant should be unhappy and should consider her working conditions not adequate or what they should be, she can immediately obtain other employment. Another drawback to the classing of domestic servants as workers within the meaning of the Industrial Arbitration Act, is the damage that will be done respecting the poorer

families in homes where there are lots of small children, and where the bread-winner has an income that is not very large. People of that type as a rule employ young girls who are unskilled and the wage paid is somewhat small.

Hon. G. B. Wood: Will not that phase be provided for as in other awards?

Hon. J. J. Holmes: No.

Hon. L. CRAIG: How could provision be made in an industrial award to deal with the position of young children who may number anything from one to seven in a family?

Hon. G. Fraser: Mr. Wood was referring to young girls employed in such families.

Hon. L. CRAIG: We cannot fix hours of labour where young children are concerned. It would be very dangerous trying to legislate for women with families of that description. The scarcity of domestic workers today has nothing whatever to do with wages. The money paid to girls at present is as high as they are likely to get under any award.

Hon. G. B. Wood: How much is that?

Hon. L. CRAIG: The real explanation of the shortage of domestic servants centres in the fact that there is supposed to be a social stigma attached to domestic service. The Bill will do nothing whatever towards removing that stigma.

Hon. G. W. Miles: Certainly not.

Hon. L. CRAIG: It will have a very detrimental effect on farmers whose wives have domestic help.

Hon. G. B. Wood: Did you say farmers?

Hon. L. CRAIG: Yes, certainly.

Hon. G. B. Wood: Farmers who have domestic servants are very few and far between.

Hon. L. CRAIG: Many farmers have servants.

Hon. G. B. Wood: Not too many of them.

Hon. L. CRAIG: If there is one class of worker on the farm whose hours are fixed, who gets up late and knocks off early, let members imagine what the effect will be. To my mind the Government is lacking in courage. Frequently have members of the Labour Party said, "If industry cannot pay the basic wage, it has no right to exist." If such members really believe what they say, let them test their claim out with regard to farm workers and then let them see what a tragedy would result. I think they speak with their tongues in their cheeks.

Hon. J. Cornell: They cannot organise the farm labourers.

Hon. L. CRAIG: Of course not. Ask any Labour man what is the living standard for a farm worker. When I was speaking to an official of the Trades Hall yesterday I spoke of this phase and asked him about the living standard of the farm worker, he said, "I do not know what we can do about it." No one is game to tackle the proposition.

Hon. G. Fraser: They have tackled it.

Hon. L. CRAIG: No; the industry will not stand a high wage. The Bill contains some good clauses, but Clause 2, if agreed to, will work much harm. There are many young unskilled girls who secure employment as domestic servants under existing conditions and later on when they have been fully trained, which requires a considerable period, they can earn good wages, for the demand for competent domestics is very keen. The Bill will not help to relieve the domestic position one iota. The difficulty is not a question of conditions, hours or wages.

As a matter of fact, the cheapest and best method of securing a good domestic servant is to marry one. In such circumstances all wives become domestic servants and are proud of the fact. Until they are married they consider such work is below their dignity. They will not tolerate the idea of working in a domestic position. I hope the second reading of the Bill will be agreed to, but I shall be very sorry indeed if Clause 2 is passed in its entirety.

HON. H. L. ROCHE (South-East) [5.30]: I support the second reading, and especially that part of the Bill which enables domestic servants to approach the Arbitration Court. We should today take a realistic view of the position and acknowledge that unionism and associations of all sections of workers have come to stay. Some sections do not approach the Arbitration Court, being powerful enough to dispense with its help. As regards those employers of domestic aid who, it is suggested, will feel the strain and possibly have to dispense with their servants, I would remind some of the champions of that class that without exception, unless they be farmers, they are living within the charmed circle, either under Ar-

bitration Court awards themselves and receiving such consideration as guarantees to them a reasonable return for the work they are doing, or are in the position of employees in industries sheltered by Australia's national Policy of Protection. Therefore they should be able to extend to their domestic employees such consideration as the Arbitration Court might regard as reasonable. Possibly some members are afraid of what I may term the absurdities of unionism—unions trying to carry things too far; but in this instance I do not believe there is room for that kind of activity, which results in abuses either by unions or by union organisers.

Comment has been made on the position of the farm worker, and I would remind some of the staunchest supporters of this measure that when last session they had an opportunity to assist the farm worker indirectly by supporting such action as would have assisted in stabilising the farmer's position so that he could pay a higher wage and give better conditions than he is able to afford today, they refused to avail themselves of that opportunity. Sometimes I, like others, feel resentful when unions apply to the Arbitration Court for better conditions than are enjoyed by those embarked on the agricultural industry of this State, working 70 and 80 hours a week without receiving any reward. On the other hand, agricultural employees enjoy a scale of wages which in many cases can today be described as fair, but only fair in comparison with scales of wages obtaining in many of the protected industries.

The time is approaching when even the farmer in this community will have to be guaranteed a reasonable standard of living. When that time arrives, there will not, I think, be any great difficulty in having the farm worker brought with the reach of the Arbitration Court. The two things, however, in my opinion go together. That is something for the champions of unionism and the Arbitration Court to consider. I believe there are some members of the Chamber who quite honestly think the time is never opportune for any change; but this change, or rather I should say advance, to extend the principles of unionism and Arbitration Court wages and the regulation of industry to one of those sections which have not yet been brought within the scope of industrial arbitration must commend itself to all reasonable persons. I am quite convinced that we have to face the certainty that all sections of the community have to be regulated and controlled, and guaranteed a reasonable standard of living within our social structure; and that thus the circle of unionism and industrial arbitration will be completed. I support the second reading of the Bill.

HON. E. H. H. HALL (Central) [5.36]: I am inclined as much as any non-Labour supporter in the House to vote in favour of this measure, but I am not going to support the Labour Party in an endeavour to do something which will not be in the best interests of the people whom that party professes or desires to benefit. We heard from Mr. Fraser this afternoon that the hardest-worked and most poorly remunerated sections of this community were farm labourers and domestic servants. Mr. Fraser is a married man, and I do not think he will mind my mentioning that before entering this Chamber he was in one of the more humble walks of life, the same as I was. Therefore the hon. member should know that the hardest-worked person in Western Australia is the wife of the ordinary married man, the wife of the ordinary worker who mostly has four or five, and perhaps more children. Such a woman—be it said to our shame!—is the hardest-worked member of our society.

I fear that those who brought in this legislation have not given the subject that consideration which it deserves. The note, "Raise the status of industrial workers," has been sounded, and will not alter the decision of members who have already made up their minds; but it is a note which deserves to be sounded. When dealing with a private household, are we dealing with an industry? Of course we are not. When the Arbitration Court is approached, then, as has been stressed here this afternoon, the question to be answered is whether the industry concerned can bear the hours and the wages applied for. The same consideration must be applied to our homes, where we want, but often cannot get, help for our wives.

The passing of this legislation will not affect the wealthy members of society, who can afford to pay high wages and grant good conditions which others not so well off are unable to afford. Mention was made of "The New Order." Most members of this

Chamber are on the side of the bottom dog, but I for my part cannot see that this Bill would improve the conditions of domestic workers, for the reasons I have stated. All interested in the subject should know that if their wives secure competent domestic help, they are willing to do anything to retain their services. As to this I speak from my own experience, and from the experience of many who are intimately known to me. I acknowledge that there are mistresses who, at all events in the past, have not known how to treat their domestic aid decently. Mr. Craig put his finger on the difficulty.

We all know of what exists today. Mr. Fraser will not accuse me of dragging in the war. War or no war, we know the position of the average housewife today. Hotels and restaurants are not worried to the same extent as the private householder, because they can pass on the cost. It is all passed on. I have repeatedly suggested to hon. members that the indirect taxation which the majority of people have to pay should be taken into consideration. I do not wish to delay the House, but I do want to make my position clear. My attitude on the subject now before us is that the person who can give good domestic service does not need to go before the Arbitration Court either for rates of pay or for conditions of employment. The people mentioned by Mr. Craig, people who cannot afford to pay top wages, husbands of mothers of three or four or five or six children, have their wives working from daylight to dark. Eight Hours Day is celebrated every year, but that has no application to the mothers of families. Because I firmly and conscientiously hold that opinion, I do not want to have domestic servants brought within the scope of the Arbitration Court, though I shall vote for the second reading.

Hon. H. SEDDON: I move—
That the debate be adjourned.

Motion put and a division taken with the following result:—

Ayes	8
Noes	16
Majority against	8

AYES.

Hon. L. Craig	Hon. G. W. Miles
Hon. J. A. Dimmitt	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. J. M. Macfarlane	Hon. V. Hamersley
	(Teller.)

NOES.

Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. Sir Hal Colebatch	Hon. H. V. Piesse
Hon. J. M. Drew	Hon. H. L. Roche
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. Gray	Hon. H. Tuckey
Hon. E. M. Heenan	Hon. C. B. Williams
Hon. J. G. Hislop	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. W. R. Hall
	(Teller.)

Motion thus negatived.

HON. H. SEDDON (North-East) [5.45]: I hoped to have had the opportunity to marshal my thoughts on this subject because there are certain matters relating to the Bill that I think demand attention. If members hear me repeat some of the arguments that have been used by previous speakers, they will have only themselves to blame. I wish to deal with the question of the introduction of the measure at this stage. Various members have indicated—I think their contention is correct—that this Bill is definitely controversial. Mr. E. H. H. Hall drew special attention to one clause in particular.

There are many clauses in this measure that are identical with the Bill of 1937. That legislation was referred to a select committee and after an exhaustive examination a report was presented to the House. Furthermore, the Bill was defeated in this House largely on the recommendation of the select committee. Members will therefore realise that the contention that this Bill is definitely controversial is fully borne out. Whilst many members, under the influence of the war conditions, are prepared to swallow many things that prior to the war they most strenuously opposed, I think it is necessary that we should retain some measure of consideration and some measure of perspective in dealing with Bills of this description.

It is admitted by most people that arbitration as we know it in Australia has had a most important effect upon the development of the continent. It is, I think, undoubtedly inseparably associated with the expansion of the secondary industries in which we pride ourselves today. It has been contended, however—anyone who has studied the history of arbitration will realise it—that this principle of fixing arbitration awards, whilst it ignores the position of the primary industries and the reactionary effect of such awards upon those industries as related to secondary industries, cannot but be based on false foundations. Again and again attention has been drawn to the fact that the Labour Party has repeatedly baulked at the

idea—I can find no better expression—of applying the principles of arbitration to the primary industries as a whole.

I remember when a Bill was introduced in this House, after it had been brought down in another place by the late Mr. McCallum, that was devised to carry out the principle of the eight-hour day, as adopted by the International Labour Congress at Geneva. The strongest criticism levelled at the Bill was directed against the clause which definitely and specifically exempted agricultural labour. Whilst Australia is prepared to carry on under a system of arbitration, and deliberately limits its application to certain industries, so long shall we have the position of affairs existing that obtains in Australia today. Sir Hal Colebatch, when speaking the other day, pointed to the effect of Australia's tariff policy upon the agricultural industry.

Whilst we find some of our agricultural friends prepared to support this Bill, the fact remains that the present position of the agricultural industry can be definitely ascribed as much to its subordination to secondary industries as to the effect of the tariff. The economic position in Australia is the result of the conflict between those policies. We find that State Governments in Australia have incurred tremendous debt structures, largely oversea, with the idea of developing primary industries, whilst the Federal policy, on the other hand, concentrating on the development of secondary industries, has absorbed revenue obtained through the tariff by reason of imports, which oversea loans paid for.

That indicates the point I am endeavouring to press home, namely, that unless we are prepared to apply the principle of arbitration to all industries, we shall not get down to a basis that will produce a balanced economy in Australia. In that connection I feel personally that if the House adopts the suggestion offered by several members, namely, that of extending the principles of arbitration to domestic servants, to be consistent it must also extend those principles to agricultural labour. In order that there may be no misunderstanding, an amendment could be made to the Bill that could apply it to agricultural labour as well as to domestic service.

Hon. J. Cornell: And to cover better housing conditions in the agricultural districts.

Hon. H. SEDDON: Conditions in the agricultural districts are inferior to those existing in the city. Even were they raised to a higher standard, disabilities that the average town worker would not endure would still exist for those in the country. That is one of the main reasons why men will not take employment in the agricultural industry. I wish to refer briefly to the report of the select committee of 1937, and to indicate the bearing that report has upon the Bill now before us.

Interestingly enough, the first clause of the Bill of 1937 with which the select committee dealt was the proposal to amend the definition of "worker" as it appeared in the Industrial Arbitration Act. The amendment in question proposed to alter the definition of "worker" to cover any worker who was engaged in employment. The words "for hire or reward" were to be dropped from the Act. The select committee pointed out that those words meant an extension of the Act really beyond the province of industrial arbitration, in so far as they would exclude workers who were engaged really on piece work or commission rather than on a regular daily wage. There was also a proposal in that Bill to include domestic servants. The report of the select committee stated—

> The Bill proposes to include domestic servants in the definition of "worker" but no evidence has been given to warrant the departure from the principle that the Act deals only with those employed in an industry.

That point was, I think, made by Mr. E. H. H. Hall. Obviously, the committee arrived at the same conclusion, namely, that a domestic servant could not be regarded as a person employed in an industry. I suggest in passing that possibly if the House has decided to extend the benefits of arbitration to domestic servants, it might well adopt the principle that has been employed in other industrial legislation, namely, to exempt definitely work in private homes from the operations of any award that might be made

Hon. C. B. Williams: If you are going to do that, you are wasting time; it would ruin the Bill.

Hon. H. SEDDON: I do not know. have a reason for that suggestion. Members may recall that when we dealt with

amendment to the Factories and Shops Act, we found there was a definite provision to exempt the one-man shop. The idea was that the man who was endeavouring to make a living by his own labour was in a different category compared with the person who was engaged in every-day work in a shop or factory. The conditions of a private home are vastly different from those which obtain in a boarding house, or even in a home that takes boarders.

Hon. C. B. Williams: They are already provided for.

Hon. H. SEDDON: Provision might be made for the inclusion of domestic servants who are working in a home that takes in boarders for fee or reward. There is a prejudice against the idea of extending the definition of "worker" to any person who is engaged in assisting in a home. It is unnecessary for me to elaborate on the conditions appertaining to homes. They have already been made plain by the remarks of Mr. E. H. H. Hall. He has indicated what is known to most of us with families, namely, the difficulties of a wife who has to manage her own home in addition to bringing up her children. Such wives are most urgently in need of assistance.

We know that many wives are in danger of being run down in health because of their strenuous endeavours to keep the home together as well as to bring up the children along right lines. Such women are sorely in need of a little domestic help to assist them in their home duties. One of the results of bringing domestic servants within the operations of the Act would be to make unworkable the conditions appertaining to the home, from the point of view of the wife and mother. The person who would bear the brunt of such a difficult situation would not be the wife of a wealthy man or the occupant of a comfortable home, but the wife of a man who is engaged either in ordinary industrial work or in a position slightly better than that.

Hon. C. F. Baxter: Can they get domestics now?

Hon. H. SEDDON: It is difficult to get them now. The remedy suggested by Mr. [illegible] that a man should marry in order [illegible] domestic help has much to recommend it, but has definite limitations. There [illegible] clause to which I will refer, [illegible] with Section 63 of the principal Act. [illegible] make my point clear, I must again turn to the report of the select committee. Clause 3 of the 1937 Bill was dealt with by that committee, which proposed to delete the whole of the clause and substitute a new clause repealing Section 19 of the principal Act. An amendment was also proposed by that committee in order to facilitate the work of the court, to the effect that there should be appointed an assistant or deputy president of the Arbitration Court as well as the president. The work of the court was found to be heavy at that time, and that position gave rise to this proposal.

Hon. J. Cornell: As a matter of fact, Mr. Justice Wolff acted for quite a time in that capacity.

Hon. H. SEDDON: As Mr. Cornell points out, Mr. Justice Wolff was appointed by the Government to assist in that direction. He carried out a very much needed function. The next matter I wish to deal with relates to Section 69 of the principal Act. The amendment there is identical with the suggestion made in the 1937 Bill by Clause 4. That clause was not, apparently, reported on by the committee. The committee considered Clause 4 desirable for the better working of the Act. I have some remarks to make on the amendment of Section 87 contained in the 1937 Act, which was dealt with in Clause 5 by the select committee. That referred to the position of an industrial agreement. Strong comments were made by the committee, and it pointed out that many industrial agreements had been made and the idea was that such an agreement arrived at betweeen an employer and the employees in a certain shop would, with the passing of the clause, be applied to the whole industry in the form of an award; whereas had the matter been fully debated before the Arbitration Court, some different agreement might possibly have been arrived at. Those were the principal questions that arose under the 1937 Act.

Hon. J. Cornell: What about the right of entry?

Hon. H. SEDDON: There was no proposed amendment dealing with the right of entry in 1937. In the circumstances, the report of the committee dealing with the 1937 Bill might now be followed by the House. That report indicated that two or three clauses in the Bill were desirable. I must apologise for the fact that I have had to make my speech offhand, and my

remarks may, therefore, have been somewhat disjointed. I support the second reading of the Bill, with the idea that amendments will be made in Committee.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [6.7]: I have listened to a very interesting debate on this Bill. It has been one of the best debates on industrial arbitration measures since I have been in this Chamber to which I have listened. Generally speaking, the principal objections to the amendments were raised by Mr. Baxter and Sir Hal Colebatch. Mr. Baxter made a strong offensive against the Bill, and used all kinds of arguments to buttress his case. He stressed the necessity of wholehearted and sympathetic concentration on the war effort, and criticised the Government for introducing legislation which would cause estrangement. He stated that this Bill would inflict further burdensome obligations on industry, which is an exaggeration. He further stated that the division of effort and dissent among various sections of European countries, and particularly France, so weakened them that they were an easy prey to the German war machine. The hon. member was hard pressed for solid argument against this Bill when he had to go so far afield for material with which to oppose the present measure.

Neither is Mr. Baxter correct in his summary of the reasons why Europe fell so easily before the Nazi tyrants. It is now a matter of common knowledge that no political party can afford to blame its opponents for the present world position; all political parties must carry the burden of blame, with the exception of, perhaps, less than a score of public men in the British Empire—one of whom is the present Prime Minister of Great Britain, and another the late Hon. Arthur Lovekin, who was a distinguished member of this Chamber. I remember Mr. Lovekin, when he returned from Europe in 1924 or 1926 warning us all in the President's room of what was coming. I thought at the time it was gross exaggeration, and that it was impossible that events would occur as he predicted.

Hon. J. Cornell: You were always a pacifist.

The HONORARY MINISTER: That is right. The democracies of the world bent their energies to world peace and disarmament, while under their very noses the foul monsters of Nazism and Fascism of Germany and Italy organised the greatest war machine of all time.

Hon. L. Craig: You are not suggesting they are all domestic workers?

The HONORARY MINISTER: It is true that France was honeycombed with traitors, not of the working class, but people in high places and of high rank. It is difficult, as Mr. Craig interjected just now, however, to connect this with the harmless Bill now being discussed, which embodies mainly machinery amendments to make the Industrial Arbitration Act work more smoothly, and thus, in fact, assist the war effort and promote co-operation between the employer and employee.

An eloquent address against the Bill was also delivered by Sir Hal Colebatch. He, too, stressed the highly controversial nature of the measure. In his bitter condemnation he quoted practically all the problems that face the people of Australia—tariffs and prohibitions, extensive Government borrowing, arbitration legislation, decline in the birth rate, and an impoverished countryside. All this avalanche of eloquence was thrown against the measure mainly because it contains a clause bringing domestic servants within the ambit of the Arbitration Court. My reply to the critics is that the war must not be used as an excuse for delaying any remedy designed to improve our social economy. May I remind Sir Hal that speeches very much like that which he delivered against this measure have been made against all reform movements since the dawn of democratic government in every country.

Hon. L. Craig: What has this to do with social economy?

The HONORARY MINISTER: It is a part of it.

Hon. L. Craig: Which part?

The HONORARY MINISTER: They were made by hostile politicians who represented the employers' viewpoint—for example, when the labourers in the huge factories of the British railway companies were unorganised half a century ago. In those days—in Sir Hal's and my lifetime—when a bereavement struck the home of the railway labourer, the deceased had to be buried

from funds collected as a result of passing round the hat to make a penny collection from the thousands of the worker's mates. In those days there were speeches like Sir Hal's, against a reform measure of that character, plus the deadly boycott of the worker.

As a boy I witnessed a procession of labourers led by a brass band, with the late John Burn, the British Labour leader in the van. The meeting was held in a huge marquee as the town hall and every other hall was refused to them for the meeting. Not many men marched. Those who did were promptly sacked the following pay day, and forced to leave their homes and look elsewhere for work. This was the foundation of the now powerful railway workers' organisation in Great Britain.

Hon. J. J. Holmes: You were reared in a bad school.

The HONORARY MINISTER: Again, in Sir Hal's lifetime and mine, the agricultural worker of England was little better than a slave. When he was too old to work he went to the workhouse. When he died, if, as occurred in many instances he was buried the way he died, the undertaker would have had to make a coffin like 3.30 o'clock on a clock face. In other words, his body was bent double through bad housing, bad clothing, bad feeding, little medical attention, and exposure to the elements. It was quite a task for the undertaker to straighten out the corpse for decent burial. That is no exaggeration; I have seen it.

Sitting suspended from 6.15 to 7.30 p.m.

The HONORARY MINISTER: I wish to continue my description of the wonderful transformation that has occurred. On Sunday the English farm labourer would take his wife and family to the village church, dressed in the white smock frock—the badge of his servitude—beautifully worked in front by a devoted housewife.

Hon. L. Craig: Was that in 1066?

The HONORARY MINISTER: He would take his place with his family in a special part reserved for the lower class, the quality in another place, and the farmer in still another special place. The progeny of the three classes referred to would meet on special nights at the church—each separate from the other. The rector or vicar would teach the labourer's youngsters, with monotonous regularity, to say, "God save the Squire and his relations and keep us in our proper stations."

Hon. L. Craig: How long ago was that?

The HONORARY MINISTER: Not so long; in my lifetime.

Hon. L. Craig: Two hundred years at least.

The HONORARY MINISTER: When a move was made to improve the lot of the farm labourer, the sort of speech made against this Bill was always made by those in authority.

The PRESIDENT: I hope the Honorary Minister is not overlooking the fact that he has to connect all this with the Bill.

Hon. L. Craig: He has been reading a Waverley novel.

The HONORARY MINISTER: I am replying to the arguments that have been advanced against the Bill. This did not prevent the English farm labourers from organising into an union, and despite the speeches and the boycott, today the farm labourer is organised, his organisation is recognised and he works under an industrial agreement with an 8-hour day or a 10-hour day, according to the season, a fixed minimum wage and he is paid overtime. This too has been accomplished in our lifetime, so there is still hope for the domestic servant.

Hon. L. Craig: Why do not you give those conditions to the farm labourers here?

The HONORARY MINISTER: It was the same sort of speeches with practically the same material that precipitated the great industrial upheavals of the Commonwealth—the shipping and shearing strikes of the nineties and the Broken Hill strike of 1892—all of which resulted in sweeping into power the Australian Labour Party. The boycott, as used mercilessly in the old days, has fortunately disappeared to a major extent, but the speeches remain.

I remember many years ago being shown in Penang a tram track that was laid and never used. I was informed that a British group of financiers decided to build and inaugurate a tramway service. The hundreds of Chinese and Malay rickshaw drivers, seeing ruin staring them in the face, took united and direct action by lying down across the tram track, thus preventing the trams from proceeding by blocking them with a barrier of living flesh. The protest

was effective; the trams never commenced operations.

These miserable underfed people made a great mistake by not taking advantage of their initial victory. They just sank back into their original squalor. Had they, like their British comrades, kept battling and consolidating their organisation, it might have been the starting of a mighty movement that could well have changed history. Sir Hal Colebatch talked conservative economics. Were the Asiatic and African peoples provided, as they should be, with sufficient protective foods and the white race's ratio of protective foods increased to the proper standard, as set out by qualified nutrition experts, the markets made available could not be saturated in a generation. Here is a phase of world economy well worth exploration as a direct contribution to the problems facing civilisation when the Axis powers have been defeated. Mr. John Boyd Orr, a nutrition expert, states—

It is obvious that there is a great world shortage of protective foods which cannot be made good for many years, even though every inducement were given to agriculture to increase food production as rapidly as possible, and every barrier to the distribution of food by both internal and external trade were removed . . . . A food policy based on human needs would have a profound effect upon agricultural and economic problems.

This has little to do with the Bill before us, but is given as a counterblast to those speakers who went on a world tour looking for arguments against the Bill. There seems to be strong opposition to the inclusion of provision for domestic servants. I repeat that the objections raised are untenable for the following reasons:—

(1) The proposed inclusion would raise the status of domestic work.

A large amount of money is being spent in the schools to teach domestic economy, cooking, etc. This is, at present, to a large degree wasted because girls are naturally attracted to a commercial career in shops, factories and offices as the working conditions and pay are much better. The domestic today is despised by her uninformed companions and critics. If those at present in domestic service were disciplined into a well-trained, reasonably paid body, the effect upon the social life of the people would be tremendous.

(2) Pass this amendment and it would be of great assistance to mothers of families, who could, with organisation, be provided with efficient household assistance.

For the information of Mr. Craig, I may say that there has been a good deal of inquiry as to how it would be possible to help the wives of workers with their families. This is one method; under this system competent girls could be sent out to work by the hour.

(3) Well trained domestics are just as essential to the community as is the highly proficient professional woman.

(4) Give domestics an industrial agreement under the Arbitration Court and the girls will be attracted to this work, and thus the present shortage would, to a very large extent, be overcome.

(5) Domestic servants have the same right to the protection of State legislation as has any other section of trade and industry.

If this proposal is agreed to, it is reasonable to foretell that domestic servants of the future will take their proper place in the social structure of the State. The occupation will be looked up to as an honourable and worth-while job, and the girls will be eagerly sought after as the very best type of wives for the finest men in the country.

During the debate Mr. Thomson referred to farm workers and said he hoped that when I was replying, I would set out the policy of the Government as regards such workers. I have no idea where Mr. Thomson gained the impression that the Government intends to legislate directly for farm workers. There is certainly nothing in the Bill which directly or indirectly concerns them. The new definition of "worker" is exactly the same as the old definition, except that domestic servants are now included, whereas by the old definition they are expressly excluded. As Mr. Fraser explained this afternoon an award could be made under the existing Act to cover farm labourers if the workers were organised and could put up a case. The Bill, however, does not purport to affect the lot of the farm worker for better or for worse.

With the provisions of the Bill, Mr. Cornell was in general agreement. He did, however, raise a question in respect to Clause 3 which provides that once in every year the accounts of a union shall be properly audited by a duly qualified public accountant. He asked, "What is meant by 'qualified' and what benefit will be derived by such a provision?" He inferred that if the provision were to apply, then some qualification

should be stated to the effect that the accountant be a member of a recognised institute. This amendment is designed to ensure that a proper system of accounts shall be kept by each union so that there will be little room for fraudulent practices to creep in. It is admitted, of course, that such practices are occasionally indulged in.

The phrase "duly qualified public accountant" means an accountant qualified by an approved examination system. If the Bill had read "by an accountant," Mr. Cornell might have had some reason to suggest an improvement in the wording. It must be remembered that accountants are not permitted to practise by virtue of the provisions of a statute in the same way as are legal and medical practitioners.

Hon. J. Cornell: Some of the leading accountants of Perth are not qualified in that sense.

The HONORARY MINISTER: At the same time, the phrase "duly qualified public accountant" has a definite meaning, and any person who is outside that meaning would not be entitled to audit a union's accounts. We consider that the proposal in the Bill will help to tighten up this matter in such a way as to safeguard the best interests of all the organisations concerned. I apologise for having taken members on such a long tour, but it was necessary to do so in order effectively to answer the objections raised against the Bill. I am absolutely sincere in expressing the hope that the Bill will be passed, and if members give it sympathetic consideration, they will realise that it will greatly improve the Act.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4:

Hon. C. F. BAXTER: If this clause is agreed to, I ask what will be the position of farmers employing domestics? The domestics will then be working shorter hours than other employees on the farm. Surely this is not the time to experiment with domestic service in this way. I believe every member has made up his mind as to how he will vote on the clause, so I shall move that the clause be struck out.

The CHAIRMAN: The hon. member will vote against the clause.

Clause put and a division taken with the following result:—

Ayes	..	..	10
Noes	..	..	14
Majority against		..	4

AYES.

Hon. J. A. Dimmitt	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Kitson
Hon G. Fraser	Hon. H. L. Roche
Hon. E. H. Gray	Hon. A. Thomson
Hon. W. R. Hall	Hon. G. B. Wood
	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. V. Piesse
Hon. L. Craig	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. H. Tuckey
Hon. V. Hamersley	Hon. F. R. Welsh
Hon. J. J. Holmes	Hon. J. G. Hislop
	(Teller.)

PAIRS.

AYES.	NOES.
Hon. T. Moore	Hon. W. J. Mann
Hon. C. B. Williams	Hon. H. S. W. Parker

Clause thus negatived.

Clauses 3 and 4—agreed to.

Clause 5—Amendment of Section 69:

Hon. C. F. BAXTER: I move an amendment—

That in line 1 of proposed new paragraph (xv) after the word "consolidate" the words "or divide" be inserted.

I do not think the Minister will oppose the amendment. It may be found necessary to divide an award in such a way that it can only be done with the concurrence of both parties. There is no need to labour the amendment.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 6 and 7—agreed to.

Clause 8—Amendment of Section 90:

Hon. C. F. BAXTER: I move an amendment—

That in lines 11 to 18 of paragraph (b) the words: "Notwithstanding anything hereinbefore contained, any parties bound by an award may at any time enter into an agreement varying all or any of the terms thereof, and subject to the express sanction of the Court such agreement may be registered by the Court and shall become binding on the parties to the agreement," be struck out.

The paragraph is very dangerous. I do not know how the court could refuse to frame an award on an agreement arrived at between the parties. I do not think this provision should be placed in the Act. Employers are only too glad to carry on their

industries without stoppages and would agree to any demand that might be made.

Hon. L. Craig: Would not the provision be liable to cause strikes?

Hon. C. F. BAXTER: No.

Hon. L. Craig: Workers might strike with a view to having an agreement made.

Hon. C. F. BAXTER: No. The point is that an employer might be forced into the position of agreeing to a demand.

The HONORARY MINISTER: It seems to me that the provision is designed to preserve industrial peace. That is the main argument in its favour. I hope the Committee will not agree to the amendment.

Hon. L. CRAIG: I am not satisfied with the clause. Do I understand that once an award has been made by the court, an agreement can be entered into between the parties before the award expires?

The Honorary Minister: Yes.

Hon. L. CRAIG: That is dangerous indeed. Employees, knowing that an industrial award can be varied, might force an alteration. If they went on strike, they would be breaking the award, and no penalty is provided for that. What is the value of an award if it can be broken before it expires? Of course, legitimate amendments to an award might be made voluntarily by the parties to it. I can see this danger, that one party, owing to duress, might be compelled to agree to some alteration. I think my interpretation is right.

Hon. G. Fraser: It is an extreme interpretation.

Hon. L. CRAIG: But not unreasonable. Unless I am convinced otherwise, I shall vote for the amendment.

Hon. E. M. HEENAN: Mr. Craig has taken a rather extreme view. It happens on occasions—perhaps not frequently—that one portion of an award is unsuitable to both parties. In such a case, the parties could, under this provision, meet and say: "This does not suit you. It does not suit us. We are wholly in agreement on that point."

Hon. L. Craig: Could not that be done with the approval of the Court?

Hon. J. J. Holmes: It can be done now.

Hon. E. M. HEENAN: And the parties would vary the award to that extent, but the variation would be subject to the express sanction of the court. The court is not obliged to accept such an agreement and register it. People often enter into contracts, leases or agreements and then find that one particular clause is of no use to either party.

Hon. L. Craig: Would a clause not agreeable to either party ever be observed?

Hon. E. M. HEENAN: Would it not be correct for the parties to an award to have such a matter rectified with the sanction of the court? I see nothing in the provision to which exception can be taken.

Hon. C. F. BAXTER: Parties going to the court at present know that when an award is made they will have smooth working for at least 12 months, but if this proposal were agreed to there would be no peace at all in industry where militant unionists are concerned. Mr. Heenan should take time off to study this provision and he would then find he was proceeding on wrong premises.

The HONORARY MINISTER: Mr. Baxter is taking an extreme view. The idea is to preserve industrial peace. Awards are made for 12 months but we do not know what is going to happen. Conditions are changing rapidly. It may be that employers and employees will recognise that variations of an award are necessary to preserve smooth working and this will enable desired changes to be made. Nothing can be done until both parties agree.

Amendment put and a division taken with the following result:—

Ayes	17
Noes	7
Majority for	10

AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. H. V. Plesse
Hon. Sir Hal Colebatch	Hon. H. L. Roche
Hon. L. Craig	Hon. A. Thomson
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. V. Hamersley	Hon. F. R. Welsh
Hon. J. G. Histop	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. E. H. H. Hall
Hon. J. M. Macfarlane	*(Teller.)*

NOES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. H. Seddon
Hon. E. H. Gray	Hon. W. R. Hall
Hon. E. M. Heenan	*(Teller.)*

PAIRS.

AYES.	NOES.
Hon. H. S. W. Parker	Hon. C. B. Williams
Hon. W. J. Mann	Hon. T. Moore

Amendment thus passed; the clause, as amended, agreed to.

Clauses 9 to 12—agreed to.

Clause 13—New sections:

Hon. C. F. BAXTER: I move an amendment—

That proposed new Section 174A be struck out.

This is a very dangerous provision. Parliament is asked to usurp the authority of the Arbitration Court. The court can and does give right of entry to certain officials under certain conditions at certain times. If this proposed new section is agreed to, union officials will be given the right to enter at any time. Surely this Committee will not agree to allowing inspectors to enter any premises when and how they like when notified to do so by their unions! I think every member has thoroughly digested this amendment and knows what it portends. I hope it will be carried.

The HONORARY MINISTER: Times have changed and leaders of industry welcome the co-operation of union officials. Although this proposal has been opposed in the past, I hope it will be accepted on this occasion.

Amendment put and a division taken with the following result:—

Ayes	17
Noes	7
Majority for	10

AYES.

Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. V. Piesse
Hon. L. Craig	Hon. A. Thomson
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. V. Hamersley	Hon. G. B. Wood
Hon. J. G. Hislop	Hon. H. L. Roche
Hon. J. J. Holmes	*(Teller.)*

NOES.

Hon. J. M. Drew	Hon. E. M. Heenan
Hon. G. Fraser	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. H. Seddon
Hon. W. R. Hall	*(Teller.)*

PAIRS.

AYES.	NOES.
Hon. H. S. W. Parker	Hon. C. B. Williams
Hon. W. J. Mann	Hon. T. Moore

Amendment thus passed; the clause, as amended, agreed to.

Clause 14—Insertion of Second Schedule:

The HONORARY MINISTER: I move an amendment—

That the following words be added to paragraph 5 of the proposed Second Schedule:—"or to the interpretation of awards or industrial agreements."

This is a machinery amendment designed to make court procedure smoother.

Amendment put and passed; the clause, as amended, agreed to.

Clause 15, Title—agreed to.

Bill reported with amendments.

BILL—POTATO GROWERS LICENSING.

Second Reading.

Debate resumed from the previous day.

HON. H. TUCKEY (South-West) [8.16]: I opposed a similar Bill when it was introduced last session. I then felt that the growers in the South-West had not had an opportunity to indicate their views regarding the legislative proposals. Since then the matters have been fully discussed. Some growers are not satisfied with the Bill under discussion in its present form. They do not consider it will be of benefit to them or to the industry generally. They desire some restriction placed upon what they describe as unfair competition. I refer to the operations of certain enemy aliens. That phase is not dealt with in the Bill and possibly it may involve Federal intervention before anything can be done respecting that matter. I would like to hear what the Chief Secretary has to say on that point.

At present, any individual can grow potatoes under any conditions on any area of land. No organisation exists to deal with matters affecting the industry and the growers in various centres hold different ideas. The passage of legislation will make it more convenient to deal with the industry throughout the State. Last week one grower told me that during last May he exported 50 tons of seed potatoes, and that every year he sent away over 500 tons to the Eastern States. That will serve to indicate to members the importance of the industry to Western Australia. That particular grower is not very anxious for control to be instituted, particularly along the lines suggested in the Bill. In that regard I hope that some of the amendments that appear on the notice paper will be agreed to.

The Bill contains no mention of price fixing or marketing. It is intended to deal only with the licensing of growers. Two members who discussed the Bill last night appeared not to understand the practical side of the industry. May I remind them that only a year or two ago growers along the Perth-Bunbury-road put up notices on their potato plots and provided potato forks. These notices contained an invitation to passers-by to take what quantities of potatoes they required but to leave the forks behind. Surely that state of affairs should not be permitted to continue. Would any member recommend

a continuance of such conditions? I know of some growers who have not averaged anything like a fair return for their labour for many years past.

Similar legislation to that outlined in the Bill has been passed in the Eastern States, and it is high time we followed suit in Western Australia. The Bill, if agreed to, will result in certain records being provided which the advisory committee can make use of, and a fund will be created from which necessary expenses will be defrayed. I do not intend to reiterate statements made by other members, for the Bill has already been fully discussed. There do not appear to be many points at issue.

I do not agree with some of the remarks made by members, because this is a very important industry. Although at times high prices have been recorded—I have known of instances when over £20 a ton was obtained—I assure members that the average price is indeed low. When conditions are such that the growers cannot afford even to dig the potatoes, the consequent loss is great not only to individual producers but to the State as well. For that reason it is essential for members to agree to the Bill, and to support the Government in its desire to give effect to the measure. I support the second reading.

On motion by the Honorary Minister, debate adjourned.

House adjourned at 8.20 p.m.

Legislative Assembly.

Wednesday, 12th November, 1941.

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTION—TROLLEY BUSES, SWANBOURNE SERVICE.

Mr. NORTH asked the Minister for Railways: 1, Are any of the "Singapore" trolley buses to be used to augment the existing service during busy periods as far as Swanbourne, or only as far as Loch-street, Claremont? 2, Is Western Australian industry yet in a position to manufacture replacements for the trolley service, and if so to what extent?

The MINISTER FOR RAILWAYS replied: 1, They will be used on both sections. 2, All the bodies for the trolley buses are built at Midland Junction.

BILLS (2)—FIRST READING.

1. Child Welfare Act Amendment.
   Introduced by the Minister for Labour.
2. Main Roads Act (Funds Appropriation) (No. 2).
   Introduced by the Minister for Works.

MOTION—GOVERNMENT BUSINESS, PRECEDENCE.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.34]: I move—

That on Wednesday, the 19th November, and each alternate Wednesday thereafter, Government business shall take precedence of all motions and orders of the day on Wednesdays as on all other days.

This is the usual motion generally introduced early in November. While there is